

## **BOOKS RECEIVED**

### **ABA Section of International Law and Practice Publications**

#### **International Law & AIDS: International Responses, Current Issues and Future Directions**

Edited by Lawrence Gostin and Lane Porter. Chicago, Illinois: American Bar Association, 1992, pp. xvii, 386, \$45.00 (pb).

Produced by the International Health Law Committee of the ABA Section of International Law and Practice, the book reviews legal and public policy responses to the AIDS pandemic from around the world. The essays relate in particular to public health law, programs, and epidemiology; screening and international travel; human rights; and issues of AIDS and drug abuse.

### **General Publications**

#### **Asset Securitization—International Financial and Legal Perspectives**

Edited by Joseph Jude Norton and Paul R. Spellman. Oxford, U.K., and Cambridge, Massachusetts: Basil Blackwell Ltd., 1991, pp. xii, 433, £ 65.00, \$74.95.

Concerns securitization and its broad implications in the international financial world. The book addresses various financial and legal considerations involved with asset securitization in the United States and the United Kingdom. It also looks at broader international matters such as the new French securitization law, the future of securitization in the European Community, and the use of securitization techniques in the repackaging of Third World debt.

## **Bank Guarantees in International Trade**

R.I.V.F. Bertrams. Deventer, The Netherlands: Kluwer Law and Taxation Publishers, 1990, pp. xxii, 428, \$81.00.

A study of the legal and practical aspects of bank guarantees based on the case law and legal writing of the western European countries, the Middle East, North Africa, and the United States. The book analyzes the way guarantees function in practice and the numerous practical aspects and issues to which they give rise.

## **Bank Regulation and Supervision in the 1990s**

Edited by Joseph J. Norton. London, U.K.: Lloyd's of London Press Ltd., 1991, pp. xxi, 178, £ 55.00.

Addresses the problems of banking regulation on both a domestic and an international scale. The book details banking supervision within a U.K., U.S., and European perspective, including an analysis of the relevant cases, and has practical significance for bankers and their professional advisers, legal practitioners, accountants, and stockbrokers.

## **Banking and EC Law**

Edited by Martijn van Empel and René Smits. Deventer, The Netherlands: Kluwer Law and Taxation Publishers, 1992, looseleaf, \$154.00.

Part of the Amsterdam Financial Series, this volume focuses on the hard core of the EC's banking regulations: The Second Banking Directive, the Solvency Directive, and the Own Funds Directive. The commentaries, structured to be of practical use to bankers, bank regulators and supervisors, and academics, analyze the complex rules and regulations that the European Community has adopted in its effort to establish an Internal Financial Market.

## **Basic Documents on the Soviet Legal System**

Compiled, translated, and edited by William E. Butler. Dobbs Ferry, New York: Oceana Publications, Inc., 3d ed. 1992, pp. viii, 557, \$75.00.

Contains key enactments of the last year of perestroika law reform. These include legislation relating to state structure, privatization, civil law, company law, land law and leasing, insurance, currency regulation, labor law, court organization, and foreign relations law.

### **Breach and Adaptation of International Contracts: An Introduction to Lex Mercatoria**

By Ugo Draetta, Ralph B. Lake, and Ved P. Nanda. Salem, New Hampshire: Butterworth Legal Publishers, 1992, pp. xiv, 227, \$100.00.

Examines the ways various legal systems treat international business contracts. The authors discuss the effect and utility of various prophylactic devices counsel employ to protect their clients in the event of breach or changed circumstances. The authors analyze these devices from the perspective of common law, civil law, and through selected illustrative national laws of various countries. Annual supplementation planned.

### **The British Year Book of International Law 1991**

Edited by Ian Brownlie and D.W. Bowett. Oxford, U.K., and New York, New York: Oxford University Press, 1992, pp. ix, 744, \$169.00.

A compilation of essays on law and procedure of the International Court of Justice; requesting an opinion in the ICJ; the jurisdiction of the ICJ regarding Nicaragua and the United States; compliance with judgments of the European Court of Human Rights; and diplomatic relations. The Year Book also contains an extensive book review section and commentaries on 1991 decisions in the British courts, in the Court of Justice of the European Communities, and on the European Convention on Human Rights.

### **Changes in Western European Banking**

By Edward P.M. Gardener and Philip Molyneux. London, U.K.: Unwin Hyman Ltd., 1990, pp. xix, 300, £ 45.00.

Focuses on changes in Western European banking from a functional perspective. The first part of the book covers the most important sectors of activity—retail, corporate, international, and investment banking—and related func-

tional areas, and examines the broader bank strategy and management implications of changes in European banking. The second part is a statistical and country appendix briefly analyzing the banking systems of seventeen European countries.

## **Consolidated Treaties & International Agreements**

Compiled and edited by Erwin C. Surrency. Dobbs Ferry, New York: Oceana Publications, Inc., 1991, Release 90-4, pp. xiii, 865, \$125.00.

Contains Department of State Documents 90-209 through 90-283, issued between September 1990 and December 1990. Included are the actual texts of unreleased international agreements listed by State Department number, country, and subject.

## **Crisis in the Gulf: Enforcing the Rule of Law**

By John Norton Moore. Dobbs Ferry, New York: Oceana Publications, Inc., 1992, pp. xliii, 677, \$52.50.

Examines Saddam Hussein's aggression against Kuwait in light of international law and United Nations' actions. The book analyzes the arguments presented by Hussein for his actions, examines the problems raised by Iraqi noncompliance with UN resolutions, and discusses the lessons to be learned about war prevention and a new world order. An appendix contains the UN basic documents relating to the Persian Gulf conflict.

## **Current Legal Issues Affecting Central Banks (Volume 1)**

Edited by Robert C. Effros. Washington, D.C.: International Monetary Fund, 1992, pp. xvi, 642, \$42.50 (pb).

In-depth information on domestic and international banking with particular reference to the legal aspects thereof. Topics covered by experts in the field include developing country debt crisis, banking secrecy and money laundering, banking regulation and supervision, deposit insurance, and electronic fund transfers. Also covered are World Bank cofinancing, the market for the official SDR, the role of the Bank for International Settlements in international monetary cooperation, and Islamic banking practices.

## **Documents of the Organization of African Unity**

Edited by Gino J. Naldi. New York, New York: Mansell Publishing Limited, 1992, pp. ix, 246, \$90.00.

A collection of documents and major treaties drafted and adopted by the OAU relating to the institutions of the OAU, territorial and security issues, conservation and the environment, human rights, and economic cooperation.

## **Doing Business in China**

William P. Streng and Allen D. Wilcox, General Editors. New York, New York: Matthew Bender & Company Incorporated (Erin M. Breslin, 514/487-3000), 1990, 1 looseleaf volume, updated, \$105.00.

Provides current information regarding legal and tax considerations relevant to foreign enterprises and individuals doing business in China. Adopting a transactional approach, the volume examines issues relating to import and export transactions, technology transfers, banking and financial transactions, joint ventures, special economic zones, dispute settlement facilities, labor law regulations, and energy development rules.

## **The Effectiveness of International Environmental Agreements**

Edited by Peter H. Sand. Cambridge, U.K.: Grotius Publications Limited (P.O. Box 115, Cambridge CB3 9BP, England), 1992, pp. 539, £ 40.00, \$80.00 (pb), £ 65.00, \$130.00 (hc).

A collection of research papers prepared for the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro in June 1992. The papers survey existing international environmental agreements and instruments.

## **Ethics and Law in the Study of AIDS**

Edited by Hernán Fuenzalida-Puelma, Ana María Linares Parada, and Diana Serrano LaVertu. Washington, D.C.: Pan American Health Organization, 1992, pp. x, 273, \$26.00 (pb).

A collection of papers dealing with the ethical, legal, and human rights considerations surrounding the AIDS epidemic. Subject categories include a technical update, ethics and AIDS, public health policies, and the epidemic from the perspective of patients, doctors, and nurses.

## **Euromarket Finance: Issues of Euromarket Securities and Syndicated Eurocurrency Loans**

By Frank Graaf. Deventer, The Netherlands: Kluwer Law and Taxation Publishers, 1991, pp. xviii, 467, \$76.00.

An introduction to the law and practice of Euromarket transactions, it describes and analyzes Euromarket transactions by reference to their terms and conditions and to the customs and usages established in the market.

## **European Banking**

Edited by Andy Mullineux. Oxford, U.K., and Cambridge, Massachusetts: Basil Blackwell Ltd., 1992, pp. x, 222, £ 17.95 (pb).

An analysis of the role of financial institutions in the move toward European monetary integration. The book examines the role and functions of the proposed European Central Bank and its implications for monetary policy in the member countries; the emerging regulatory and supervisory framework for the banks and financial system in the EC; the implications of the 1992 program for banking strategies and structure; the European markets for mortgage finance and the development of payment systems in Europe; and the impact of economic harmonization on the Swiss banking and financial centers.

## **International Banking Deregulation—The Great Banking Experiment**

By Richard Dale. Oxford, U.K., and Cambridge, Massachusetts: Basil Blackwell Ltd., 1992, pp. viii, 211, \$79.95.

Details the new global banking structure by examining the new regulatory frameworks set up in the United States, the United Kingdom, Europe, and Japan. The book assesses additional risks confronting banks in the context

of other commercial pressures on banks such as intensified competition and unprecedented financial innovation.

## **International Economic Sanctions: A Public Choice Perspective**

By William H. Kaempfer and Anton D. Lowenberg. Boulder, Colorado, and Oxford, U.K.: Westview Press, Inc., 1992, pp. xiv, 189, \$44.00.

An analysis of economic sanctions from the perspective of a public choice theory. The authors contend that political and economic interests within the sanctioning country determine not only when sanctions will be adopted but also the particular form of the sanctions, and that it is the political impact of sanctioning that accounts for whatever success economic sanctions have enjoyed.

## **International Law and the Antarctic Treaty System**

By Sir Arthur Watts. Cambridge, U.K.: Grotius Publications Limited (P.O. Box 115, Cambridge CB3 9BP, England), 1992, pp. xiii, 469, £ 58.00, \$120.00.

The eleventh volume in the Hersch Lauterpacht Memorial Lectures Series, this book examines the basic Antarctic Treaty of 1959 and the subsequent conventions and protocols (the texts of which are reprinted in an appendix). The contents cover: dispute settlement; territorial questions; the Antarctic seas; jurisdiction, enforcement, and liability; nonmilitarization and nonnuclearization; resources; protection of the environment; and the legal status of the Antarctic system.

## **Japanese Labor Law**

By Kazuo Sugeno, translated by Leo Kanowitz. Seattle, Washington: University of Washington Press, 1992, pp. xix, 714, \$60.00.

English translation of the 1991 edition of the author's *Rodoho*, the standard work on labor law in Japan. The book covers individual and group rights, doctrine, statutes, administrative actions, practice, and policy, and contains explanatory material for non-Japanese readers. It is a comprehensive resource for businesses and law firms that deal with Japan and Asia, for unions

working with Japanese companies abroad, and for those interested in the Japanese system of management.

## **The Law and Regulation of International Finance**

By Ravi C. Tennekoon. London and Edinburgh, U.K.: Butterworth & Co. (Publishers) Ltd., 1991, pp. xlv, 490, \$125.00.

An examination of the legal issues that arose in the context of the explosive growth of the new international financial markets that developed in London in the 1960s and 1970s. The book focuses on the law and regulation of international syndicated loans, international or "Euro" bond issues, and the Euro commercial paper market.

## **The Law of the Sea in the 1990s: A Framework for Further International Cooperation**

Edited by Tadao Kuribayashi and Edward L. Miles. Honolulu, Hawaii: The Law of the Sea Institute, University of Hawaii, 1992, pp. xi, 541, \$55.00.

Proceedings of a conference in Tokyo, Japan, in 1990, the papers address international navigation, living resources, deep seabed mining, a reevaluation of the functions of the sea based on new knowledge of the sea, and international cooperation in the Asia-Pacific region.

## **Legal Education and Professional Development— An Educational Continuum**

ABA Section of Legal Education and Admissions to the Bar. Chicago, Illinois: American Bar Association, 1992, pp. xiv, 414, \$14.00 (pb).

"Report of the Task Force on Law Schools and the Profession: Narrowing the Gap," sponsored by the ABA Section of Legal Education and Admissions to the Bar. The report gives an overview of the varying types of practice within the legal profession; focuses on the skills and values necessary to new lawyers; assesses the legal educational continuum from the initial decision to become a lawyer, through law school, to further legal education and training; and sets out the task force's recommendations.



## **Moscow Symposium on the Law of the Sea**

Edited by Thomas A. Clingan, Jr. and Anatoly L. Kolodkin. Honolulu, Hawaii: Law of the Sea Institute, University of Hawaii, 1991, pp. xi, 394, \$51.00.

Proceedings of a workshop held in Moscow, USSR, in 1988. The papers by international legal scholars and practitioners and by members of the Soviet Navy, Academy of Sciences, and governmental ministries, discuss the legal issues of navigation, the problem of straddling fisheries stocks, marine scientific research, and exploration of the Pacific Ocean.

## **The Movement of Persons Across Borders**

Edited by Louis B. Sohn and Thomas Buergenthal. Washington, D.C.: The American Society of International Law, 1992, pp. xxii, 193, \$15.00 (pb).

No. 23 in the ASIL's Studies in Transnational Legal Policy, this monograph covers the general rules relating to the rights and duties of states in respect of movement of persons across borders; the admission or exclusion of persons moving across borders; refugees and displaced persons; and international cooperation in protecting and assisting persons moving across borders.

## **Notes and Comments on Cases in International Law, Commercial Law, and Arbitration**

By F. A. Mann, Oxford, U.K., and New York, New York: Oxford University Press, 1992, pp. xxiii, 281, \$62.00.

An anthology of writings by the late author on a diversity of topics including Anglo-American legal harmony, bills of exchange and the conflict of laws, the *Spycatcher* case, Austrian nationality, and English procedural law and foreign arbitrations.

## **Les Principes Généraux de la *Lex Mercatoria***

By Filali Osman. Paris, France: Librairie Générale de Droit et de Jurisprudence, 1992, xiii, 515, F 280 (pb).

Discusses the theory of *lex mercatoria*. In the author's view arbitrators within an a-national legal system effectively forge general principles that meet the requirements of the international trading community, and that these principles constitute a "common law" in international trade applicable to the formation, interpretation, and performance of any international contract.

## **Seeking Justice: Ethics and International Affairs**

Edited by Rachel M. McCleary. Boulder, Colorado, and Oxford, U.K.: Westview Press, Inc., 1992, pp. xiii, 165, \$12.95 (pb), \$39.95 (hc).

A volume in the Case Studies in International Affairs series designed for the college classroom. The author highlights cases from around the world to show how issues of debt, development, and environment are integrally linked and to pinpoint the ethical problems policymakers, experts, and theorists face in the international arena.

## **Self-Determination in the New World Order**

By Morton H. Halperin and David J. Scheffer with Patricia L. Small. Washington, D.C.: Carnegie Endowment for International Peace, 1992, pp. xiv, 178, \$8.95 (pb), \$21.95 (hc).

An examination of recent self-determination movements and the international community's response. The authors suggest new policies for the United States and the international community aimed not only at dealing with threats to peace after they arise but also at mediating and resolving self-determination claims before they reach that stage.

## **The Single Market and the Law of Banking**

Edited by Ross Cranston. London, U.K.: Lloyd's of London Press Ltd., 1991, pp. xxx, 270, £ 44.00.

A detailed and practical explanation of the impact that 1992 will have for all those involved in the legal aspects of banking and financial services. The book takes the Second EC Banking Directive fully into account and provides insight and expert guidance on some important issues arising in the practice of banking.

## **Singular Europe: Economy and Polity of the European Community after 1992**

Edited by William James Adams. Ann Arbor, Michigan: The University of Michigan Press, 1993, pp. x, 388, \$45.00.

A compilation of essays by sixteen economic and foreign policy experts. Their discussions focus on the impact of Program 1992 upon the European and world economies in the context of the behavior of business enterprises and the structure of economically meaningful markets; the potential of Europe to act as a protectionist "fortress"; and the steps yet to be taken along the path to completion of the internal market.

## **Sipri Yearbook 1992: World Armaments and Disarmament**

Edited by Stockholm International Peace Research Institute. Oxford, U.K., and New York, New York: Oxford University Press, 1992, pp. xxv, 670, \$75.00.

Reviews the latest developments in nuclear weapons technology and arms control, including the START treaty; military use of outer space; chemical and biological warfare; military expenditure, arms trade and production, and armed conflicts; conventional arms control in Europe; the UN Special Commission on Iraq concerning weapons of mass destruction; post-Soviet threats to security; and the emergence of new European security structures. An annex summarizes the major multilateral arms control agreements and the status of their implementation.

## **Taiwan's Financial Markets and Institutions: The Legal and Financial Issues of Deregulation and Internationalization**

By Brian Wallace Semkow. Westport, Connecticut: Quorum Books, 1992, pp. xii, 246, \$49.95.

An overview of Taiwan's financial system and the scope and significance of recent financial reforms, including discussion of sources of Taiwanese banking law; regulators; financial institutions and markets; financial nonintermediaries; the money market; the offshore banking center; bond markets;

derivative financial products; and reforms to banking and insurance law, the foreign exchange system, and securities markets.

## **Trade-Based Approaches to the Protection of Intellectual Property**

By Edward Slavko Yambrusic. Dobbs Ferry, New York: Oceana Publications, Inc., 1992, pp. iv, 277, \$50.00.

A study of intellectual property and its role in international trade in developed, developing, and newly industrialized countries. The author analyzes national, transnational, and international responses to trade impediments in intellectual property. Included are reviews of the United States-Canada Free Trade Agreement and the GATT negotiations in regard to this subject.

## **Transnational Taxation of Foreign Investments in Israel**

By Gideon Klugman. Haifa and Tel-Aviv, Israel: Yaacov Salomon, Lipschütz & Co. (fax: 972-3-5757725), 1992, pp. xvi, 138, free (pb).

An analysis of the tax systems of the United States, Japan, the United Kingdom, the Netherlands, Canada, and France, and their interaction with the Israeli tax system. The discussion encompasses national and local level taxation, corporate and shareholder taxation, the 1992 amendments to Israel's investment incentive programs, and provisions of the proposed United States-Israel tax treaty.

## **U.S. International Tax Forms Manual: Compliance and Reporting**

By Stuart R. Singer. New York, New York: Warren Gorham Lamont, 1993, looseleaf, \$195.00 (annual subscription).

Designed to provide guidance in complying with the principal U.S. tax rules governing international transactions. The book is organized by types of transactions and relates them to relevant portions of the Internal Revenue Code, regulations, rulings, other miscellaneous administrative pronouncements, case law, tax treaties, and reporting forms. To be revised annually.